

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
vs.)	NO. 13 CR 008
)	
EDGAR AVILA, et al,)	Honorable John Z. Lee
)	District Judge, Presiding
Defendant.)	

HIPAA QUALIFIED PROTECTIVE ORDER

Upon the Defendant EDGAR AVILA's Second motion for a protective discovery order compliant with the terms of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. 164.512(e)(1)(v)(A) and (B), it is hereby ORDERED as follows:

1. The following words and terms are defined for purposes of this order:

a. "Parties" shall mean the United States, the Defendant, and any additional party that this Court may subsequently recognize as subject to this qualified protective order, and their attorneys.

b. "HIPAA" shall mean the Health Insurance Portability and Accountability Act of 1996, codified primarily at 18, 26 and 42 U.S.C. (2002).

c. "PHI" shall mean protected health information, as that term is used in HIPAA and the Privacy Standards.

2. All "covered entities" (as defined by 45 CFR 160.103), which shall include

the Thorek Hospital, and Dr. Lynn Anderson, M.D. , are hereby authorized to disclose PHI pertaining to Defendant, to all attorneys now of record in this matter or who may become of record in the future of this litigation.

3. The Parties agree not to use or disclose the PHI released in this proceeding for any other purpose or in any other proceeding.

4. The Parties agree at the termination of this proceeding to return all PHI obtained during the course of this proceeding to the attorney representing the person whose PHI was released during the course of this proceeding, and/or to dispose of the PHI released during the course of this proceeding.

5. The Parties may attach, as appropriate, a copy of this Order to a subpoena directed to the United States Department of Justice, Metropolitan Correctional Center Infirmary and any other Physician employed by the U.S. Department of Justice or Metropolitan Correctional Center Infirmary, Thorek Hospital, and Dr. Lynn Anderson, M.D., and intended to require the production of the medical records of Patient, EDGAR AVILA, as referenced above.

ENTER: 

The Honorable John Z. Lee
United States District Court Judge

DATED: July 21, 2014